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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 7811
Seishi KATO et al. : Docket No. 2003_0986
Serial No. 10/019,114 : Group Art Unit 1653
Filed October 24, 2002 : Examiner Agnes B. Rooke

HUMAN PROTEINS HAVING HYDROPHOBIC
DOMAINS AND DNAs ENCODING THESE PROTEINS

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Official Action dated November 1, 2004.

The Official Action constitutes a requirement for restriction.

Applicants elect to prosecute the invention of Group XXVI, claim 7, drawn to an antibody against SEQ ID NO: 7.

The restriction requirement is respectfully traversed. The restriction requirement imposes an unreasonable and significant burden upon the Applicant to obtain patent protection for the invention. The restriction requirement states that there are 29 inventions identified in the application. The restriction requirement is in essence a species requirement.

The Examiner is kindly requested to reconsider the restriction requirement and broaden the scope of the invention examined to a scope which does not impose a serious burden upon the examination of this application.

Favorable action on the merits is solicited.

Respectfully submitted,

Seishi KATO et al.

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